

August 9, 1988

Art Belendiuk  
1920 North Street, NW  
Suite 510  
Washington, D.C. 20036

Re: LaStar Cellular Telephone Co.

Dear Art:

Please take whatever action you deem necessary.

Very truly yours,

John Brady, Jr.

bc  
Encl: 1



U.S. Department  
of Transportation  
  
Federal Aviation  
Administration

Southwest Region  
Airspace and Procedures Branch  
Fort Worth, Texas 76193-0530

IN REPLY REFER TO  
**AERONAUTICAL STUDY**  
NO. 87-ASW-1858-OE

## DETERMINATION OF HAZARD TO AIR NAVIGATION

SPONSOR	LA STAR CELLULAR TELEPHONE COMPANY P O BOX 188 LAROSE LA 70373	CONSTRUCTION LOCATION	
		PLACE NAME	
		Pearl River, Louisiana	
CONSTRUCTION PROPOSED	DESCRIPTION  Cellular radio tower	LATITUDE	LONGITUDE
		30°24'14"	89°46'54"
		HEIGHT (IN FEET)	
		ABOVE GROUND	ABOVE MSL
		213	249

An aeronautical study of the proposed construction described above has been completed under the provisions of Part 77 of the Federal Aviation Regulations. Based on the study it is found that the construction would have a substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on the operation of air navigation facilities. Therefore, pursuant to the authority delegated to me, it is hereby determined that the construction would be a hazard to air navigation.

This determination is subject to review if a petition is filed by the sponsor on or before August 31, 1988. In the event a petition for review is filed it should be submitted in triplicate to the Manager, Flight Information and Obstructions Branch AAT-210, Federal Aviation Administration, Washington, D.C. 20591, and contain a full statement of the basis upon which it is made.

This determination becomes final on September 10, 1988 unless a petition for review is timely filed, in which case the determination will not become final pending disposition of the petition. Interested parties will be notified of the grant of any review.

An account of the study findings, aeronautical objections, if any, registered with the FAA during the study, and the basis for the FAA's decision in this matter will be found below and/or on the following page(s).

If the structure is subject to the licensing authority of the FCC, a copy of this determination will be sent to that Agency.

This determination, issued in accordance with FAR Part 77, concerns the effect of this proposal on the safe and efficient use of the navigable airspace by aircraft and does not relieve the sponsor of any compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

SJI 003688

SIGNED

  
Richard J. Cibak

TITLE

Manager, Airspace and Procedures Branch

ISSUED IN

Fort Worth, Texas

ON

August 1, 1988

AERONAUTICAL STUDY NUMBER 87-ASW-1858-OE

PEARL RIVER, LOUISIANA

The proposed construction would be located approximately 3.8 nautical miles (NM) northeast of the Slidell Airport, Slidell, Louisiana. It would exceed the obstruction standards of Part 77 of the Federal Aviation Regulations as follows:

Section 77.23(a)(3) by 99 feet - a height that increases a minimum instrument flight altitude within a terminal area (TERPS Criteria). Construction of the proposal would require the following amendments to aeronautical procedures at Slidell Municipal Airport:

VOR/DME Runway 17 - Increase the straight-in minimum descent altitude (MDA) from 400 feet AMSL to 500 feet AMSL and the circling MDA from 440 feet AMSL to 500 feet AMSL.

The proposal was circularized to all known interested persons by letter dated February 11, 1988. Letters of objection were received from the Aircraft Owners and Pilots Association (AOPA) and the State of Louisiana Department of Transportation and Development, Office of Aviation.

The State of Louisiana, Department of Transportation and Development, Office of Aviation objected based on the effects on the instrument approach procedure. They stated that raising the MDA naturally limits the utility of an instrument approach and, given the status of Slidell as a major reliever airport in future years, would seriously compromise use of this airport during inclement weather.

AOPA objected because of the increase in the minimums for the instrument approach procedure. They stated that, due to the continuing decline in the number of fixed wing landing areas in this county and the incessant growth of aviation, it is imperative that we keep the remaining airports available at the lowest possible weather minimums. This is particularly important when, as in the case at Slidell Municipal Airport, there is but one instrument approach procedure serving the airport.

Aeronautical study by the Federal Aviation Administration disclosed that the proposal would have no effect on visual flight rule (VFR) operations or procedures.

Study for the effects on instrument flight rule (IFR) operations and procedures disclosed that there are two instrument approach procedures to the Slidell Municipal Airport (NDB Runway 17, and the VOR/DME Runway 17).

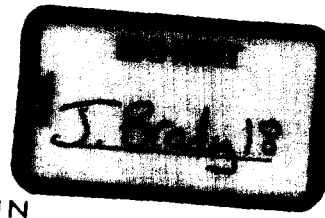
There are a total of 57 fixed wing aircraft based at the airport. These aircraft generate a total of 17,100 local operations per year. There are an additional 11,400 operations generated by itinerant aircraft during the year for a total of 28,500 operations. In 1986, there were 52 instrument approaches executed under actual instrument conditions and, in 1987, 27 instrument approaches executed under actual instrument conditions. These figures represent a significant number of aircraft that utilize the airport under inclement weather. The actual number of aircraft using instrument approach procedures for access to the airport is unknown. The VOR/DME Runway 17 approach procedure maintains the lowest minimums of the two procedures available to aircraft. This procedure is also the more precise of the two. It is reasonable to assume that this procedure would be the more desired procedure, particularly for those aircraft arriving from the north, northwest, northeast, or east.

Based on this study, it is determined that the proposed construction would have a substantial adverse effect on the safe and efficient use of the navigable airspace by aircraft and would be a hazard to air navigation.



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TELEPHONE  
(202) 467-5700  
TELECOPY  
(202) 467-5915  
CABLE ADDRESS  
"KOBURT"

November 10, 1988

Mr. H. Donald Nelson  
United States Cellular Corp.  
1030 Higgins Road - Suite 300  
Park Ridge, Illinois 60068

Dear Don:

Thank you for sending me copies of the recent filing which Arthur Belendiuk made with the FCC for La Star in the New Orleans case. However, it is not necessary for anyone to send me copies of this particular set of materials, since Belendiuk reviews all of his filings with me in advance and then provides me with a copy of the documents as filed. In fact, I suspect you received his November 4th letter to the FCC from us, although you may also have received a copy from him direct.

Best regards.

Sincerely,

Alan Y. Naftalin

CC: LeRoy T. Carlson  
Stephen P. Fitzell, Esq.

USCC02147



OK  
MEMORANDUM

TO: John Brady  
Pat Brady

FROM: Kit Crenshaw

DATE: July 7, 1989

RE: Conference call on Wednesday, June 28, 1989

Conference Call Participants: John Brady  
Kit Crenshaw  
Leeroy Carlson  
Mike Rhone

We discussed the relative value of St. Tammany Parish as compared to the rest of the New Orleans MSA. It was the consensus of all that St. Tammany was more valuable per pop than any other parish in the state of Louisiana. This leading to an overall agreement that St. Tammany is worth at least 21.6% of the New Orleans MSA.

Because of the impending meeting with the FCC and the necessity of developing a counter-proposal, it was further agreed that the following proposal be made to BellSouth Mobility:

St. Tammany should be treated as an RSA with LaStar owning 50% and BMI owning the remaining 50%. LaStar would operate the St. Tammany Parish area under a contract identical to the one proposed by BellSouth Mobility and several other RSAs.

John Brady explained that any proposal on RSA 8 or 9 could cause confusion because MobileTel (a wholly owned SJI subsidiary), is one of three applicants in RSA 8 and one of two applicants in RSA 9. Mr. Brady expressed concern that the interest of LaStar not be confused or intermingled with the interest of MobileTel. It was agreed by all parties that as long as LaStar stuck with New Orleans or any other RSA or MSA besides 8 and 9, there would be no possibility of a conflict of interest. It was agreed that John Brady, Pat Brady, Kit Crenshaw, and Mike Rhone shall attend a meeting at the FCC with BellSouth Mobility and LaStar's attorney Art Belenduik on June 30, at 10:00 A.M. Eastern time.

Kit Crenshaw

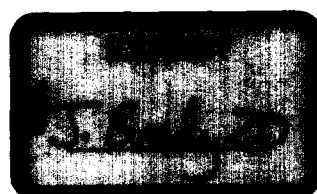




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SUITE 207  
WASHINGTON, D.C. 20036

TELEF  
202: 78

July 31, 1989

Mr. LeRoy T. Carlson, Chairman  
Telephone & Data Systems, Inc.  
79 West Monroe Street  
Chicago, Illinois 60603

Dear Mr. Carlson:

Enclosed is an Order from the Court of Appeals denying La Star's Motion for Expedited Consideration. The Order also denies BelleSouth's Motion to Hold in Abeyance. For the time being, at least, the two parties have wrestled themselves to a draw.

As things stand now, I expect La Star's initial Brief in this proceeding to be due sometime in September with oral argument set in the early part of next year. I will keep you informed of developments as they occur.

Sincerely,



Arthur V. Belendiuk

AVB/pn.A0731  
Enc.

cc: Mr. John Brady  
Mr. Pat Brady  
Mr. Donald Nelson  
Alan Naftalin, Esquire  
Mr. Michael Hron

AB01462

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LAW OFFICES

SMITHWICK & BELENDIUK, P.C.

2033 M STREET, N.W.

SUITE 207

WASHINGTON, D.C. 20036

TELECOPIER

(202) 785-2804

TELEPHONE

(202) 785-2800

January 10, 1990

Mr. John Brady, Jr.  
La Fourche Telephone Company, Inc.  
112 W. Tenth St.  
P.O. Box 188  
La Rose, CA 70373

Re: La Star Cellular Telephone Company

Dear John:

Enclosed is a, November 4, 1988, letter I wrote to FCC Chairman Dennis Patrick. The letter fairly represents the history of the La Star proceeding from its inception.

Since November 1988, a great deal has not changed. Except for periodic renewals of New Orleans CGSA's Special Temporary Authority, no FCC action was taken in this proceeding until April 24, 1989, when the Commission published its Interim Order. The Interim Order affirmed the Common Carrier Bureau's determination that NOCGSA should continue to operate, indefinitely, as the sole interim cellular operator in St. Tammany Parish.

This decision has been appealed to the United States Court of Appeals for the District of Columbia Circuit. An oral argument is scheduled for March 12, 1990. La Star contends that the FCC's Interim Order has prejudiced La Star's chances of receiving impartial comparative consideration from the FCC for its timely filed, mutually exclusive application to provide cellular service to the same area.

The Interim Order, of course, ruled only on the question of interim operation and did not commence the proceeding on the permanent applications, even though that proceeding has been ripe for such commencement for well over a year. The Commission still has not begun the proceeding to choose a permanent licensee. At this time, there is no way of determining when the Commission plans to commence such a proceeding.

AB01445

SMITHWICK & BELENDIUK, P C

Mr. John Brady, Jr.

January 10, 1990

Page Two

I hope this brief history of the FCC proceeding is helpful.  
Please feel free to call should you need additional information.

Sincerely,



Arthur V. Belendiuk

Enclosure

AVB/lmv.A0109

AB01446